

**U.S. District Court  
Eastern District of New York (Brooklyn)  
CIVIL DOCKET FOR CASE #: 1:20-cv-04834-KAM-RML**

Agudath Israel of America et al v. Cuomo  
Assigned to: Judge Kiyo A. Matsumoto  
Referred to: Magistrate Judge Robert M. Levy  
Cause: 42:1983 Civil Rights Act

Date Filed: 10/08/2020  
Jury Demand: None  
Nature of Suit: 470 Racketeer/Corrupt  
Organization  
Jurisdiction: Federal Question

**Plaintiff**

**Agudath Israel of America**

represented by **Avi David Schick**  
Troutman Pepper Hamilton Sanders LLP  
875 Third Avenue  
New York, NY 10022  
212-704-6000  
Email: avi.schick@troutman.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Agudath Israel of Kew Garden Hills**

represented by **Avi David Schick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Agudath Israel of Madison**

represented by **Avi David Schick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Agudath Israel of Bayswater**

represented by **Avi David Schick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Rabbi Yisroel Reisman**

represented by **Avi David Schick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Rabbi Menachem Feifer**

represented by **Avi David Schick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Steven Saphirstein**

represented by **Avi David Schick**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant****Andrew M. Cuomo***Governor of the State of New York, in his  
official capacity*represented by **Todd Alan Spiegelman**

NYS Attorney General's Office

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**LEAD ATTORNEY****ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
10/08/2020	<a href="#"><u>1</u></a>	COMPLAINT against Andrew M. Cuomo filing fee \$ 400, receipt number ANYEDC-13491523 Was the Disclosure Statement on Civil Cover Sheet completed -YES,, filed by Rabbi Menachem Feifer, Agudath Israel of Madison, Steven Saphirstein, Agudath Israel of Kew Garden Hills, Agudath Israel of America, Agudath Israel of Bayswater, Rabbi Yisroel Reisman. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet, # <a href="#"><u>2</u></a> Proposed Summons) (Schick, Avi) (Entered: 10/08/2020)
10/08/2020	<a href="#"><u>2</u></a>	Emergency MOTION for Order to Show Cause <i>for Temporary Restraining Order and Preliminary Injunction</i> by Agudath Israel of America, Agudath Israel of Bayswater, Agudath Israel of Kew Garden Hills, Agudath Israel of Madison, Rabbi Menachem Feifer, Rabbi Yisroel Reisman, Steven Saphirstein. (Attachments: # <a href="#"><u>1</u></a> [Proposed] Order to Show Cause, # <a href="#"><u>2</u></a> Memorandum in Support, # <a href="#"><u>3</u></a> Declaration of Avi Schick, # <a href="#"><u>4</u></a> Exhibit A, # <a href="#"><u>5</u></a> Exhibit B, # <a href="#"><u>6</u></a> Exhibit C, # <a href="#"><u>7</u></a> Exhibit D, # <a href="#"><u>8</u></a> Exhibit E, # <a href="#"><u>9</u></a> Exhibit F, # <a href="#"><u>10</u></a> Exhibit G, # <a href="#"><u>11</u></a> Exhibit H, # <a href="#"><u>12</u></a> Exhibit I, # <a href="#"><u>13</u></a> Exhibit J, # <a href="#"><u>14</u></a> Exhibit K, # <a href="#"><u>15</u></a> Exhibit L, # <a href="#"><u>16</u></a> Exhibit M, # <a href="#"><u>17</u></a> Affidavit of Aharon Weisenfeld, # <a href="#"><u>18</u></a> Affidavit of Avrohom Weinstock, # <a href="#"><u>19</u></a> Affidavit of Steven Saphirstein, # <a href="#"><u>20</u></a> Affidavit of Rabbi Menachem Feifer, # <a href="#"><u>21</u></a> Affidavit of Rabbi Yisroel Reisman, # <a href="#"><u>22</u></a> Declaration of Avi Schick re: Notice, # <a href="#"><u>23</u></a> Declaration of Plaintiffs' Counsel Pursuant to Local Rule 6.1(d)) (Schick, Avi) (Entered: 10/08/2020)
10/08/2020		Case Assigned to Judge Kiyo A. Matsumoto and Magistrate Judge Robert M. Levy. Please download and review the Individual Practices of the assigned Judges, located on our <a href="#"><u>website</u></a> . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Davis, Kimberly) (Entered: 10/08/2020)
10/08/2020	<a href="#"><u>3</u></a>	In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <b><i>if</i></b> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed electronically <b><i>only if all</i></b> parties wish to consent. The form may also be accessed at the following link: <a href="http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf">http://www.uscourts.gov/uscourts/FormsAndFees/Forms/AO085.pdf</a> . <b>You may withhold your consent without adverse substantive consequences. Do NOT return or file the consent unless all parties have signed the consent.</b> (Davis, Kimberly) (Entered: 10/08/2020)
10/08/2020	<a href="#"><u>4</u></a>	This attorney case opening filing has been checked for quality control. See the attachment for corrections that were made, if any. (Davis, Kimberly) (Entered: 10/08/2020)

10/08/2020	<a href="#">5</a>	Summons Issued as to Andrew M. Cuomo. (Davis, Kimberly) (Entered: 10/08/2020)
10/08/2020	<a href="#">6</a>	ORDER granting <a href="#">2</a> Motion for Order to Show Cause. Show Cause Hearing by video set for 10/9/2020 at 01:30 PM before Judge Kiyo A. Matsumoto. Defendant must submit a brief in response by no later than 10/9/2020 at 11:00 AM; plaintiff may reply no later than 10/9/2020 at 1:00 PM. Plaintiff must immediately serve a copy of this Order and the papers on which it is based on Defendant no later than 5:30 PM on 10/8/2020. See attached Order for further details. Ordered by Judge Kiyo A. Matsumoto on 10/8/2020. (Brasky, Michael) (Entered: 10/08/2020)
10/08/2020		ORDER: The video link for parties and counsel participating in the emergency show cause hearing, scheduled for October 9, 2020, at 1:30 PM, is <a href="https://join.uc.uscourts.gov/invited.sf?secret=8n3nB0iOQsw_62kpnxU2A&amp;id=362279320">https://join.uc.uscourts.gov/invited.sf?secret=8n3nB0iOQsw_62kpnxU2A&amp;id=362279320</a> . Those who wish to listen by phone may dial 571-353-2300 and enter the pin 362279320. Plaintiffs are ordered to immediately serve defendant with a copy of this Order and to note service on the docket. Ordered by Judge Kiyo A. Matsumoto on 10/8/2020. (Brasky, Michael) (Entered: 10/08/2020)
10/08/2020	<a href="#">7</a>	CERTIFICATE OF SERVICE by Agudath Israel of America, Agudath Israel of Bayswater, Agudath Israel of Kew Garden Hills, Agudath Israel of Madison, Rabbi Menachem Feifer, Rabbi Yisroel Reisman, Steven Saphirstein re Order, <i>entered on October 8, 2020, at 6:24 pm EDT</i> (Schick, Avi) (Entered: 10/08/2020)
10/09/2020	<a href="#">8</a>	CERTIFICATE OF SERVICE by Agudath Israel of America, Agudath Israel of Bayswater, Agudath Israel of Kew Garden Hills, Agudath Israel of Madison, Rabbi Menachem Feifer, Rabbi Yisroel Reisman, Steven Saphirstein re <a href="#">6</a> Order on Motion for Order to Show Cause,, <a href="#">5</a> Summons Issued, <a href="#">2</a> Emergency MOTION for Order to Show Cause <i>for Temporary Restraining Order and Preliminary Injunction</i> , <a href="#">1</a> Complaint, (Schick, Avi) (Entered: 10/09/2020)
10/09/2020	<a href="#">9</a>	NOTICE of Appearance by Todd Alan Spiegelman on behalf of All Defendants (aty to be noticed) (Spiegelman, Todd) (Entered: 10/09/2020)
10/09/2020	<a href="#">10</a>	MEMORANDUM in Opposition to <i>Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction</i> filed by Andrew M. Cuomo. (McAlister, Erin) (Entered: 10/09/2020)
10/09/2020	<a href="#">11</a>	MEMORANDUM in Opposition to <i>Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction</i> *CORRECTED* filed by Andrew M. Cuomo. (McAlister, Erin) (Entered: 10/09/2020)
10/09/2020	<a href="#">12</a>	DECLARATION re <a href="#">11</a> Memorandum in Opposition to <i>Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction</i> by Andrew M. Cuomo (Attachments: # <a href="#">1</a> Exhibit A, # <a href="#">2</a> Exhibit B, # <a href="#">3</a> Exhibit C, # <a href="#">4</a> Exhibit D, # <a href="#">5</a> Exhibit E, # <a href="#">6</a> Exhibit F, # <a href="#">7</a> Exhibit G, # <a href="#">8</a> Exhibit H, # <a href="#">9</a> Exhibit I, # <a href="#">10</a> Exhibit J, # <a href="#">11</a> Exhibit K, # <a href="#">12</a> Exhibit L, # <a href="#">13</a> Exhibit M, # <a href="#">14</a> Exhibit N, # <a href="#">15</a> Exhibit O, # <a href="#">16</a> Exhibit P, # <a href="#">17</a> Exhibit Q, # <a href="#">18</a> Exhibit R, # <a href="#">19</a> Exhibit S, # <a href="#">20</a> Exhibit T, # <a href="#">21</a> Exhibit U, # <a href="#">22</a> Exhibit V, # <a href="#">23</a> Exhibit W, # <a href="#">24</a> Exhibit X, # <a href="#">25</a> Exhibit Y, # <a href="#">26</a> Exhibit Z, # <a href="#">27</a> Exhibit AA, # <a href="#">28</a> Exhibit BB, # <a href="#">29</a> Exhibit CC, # <a href="#">30</a> Exhibit DD, # <a href="#">31</a> Exhibit EE, # <a href="#">32</a> Exhibit FF) (McAlister, Erin) (Entered: 10/09/2020)
10/09/2020	<a href="#">13</a>	REPLY in Support of <i>Plaintiffs' Motion for a Temporary Restraining Order and Preliminary Injunction</i> filed by Agudath Israel of America, Agudath Israel of Bayswater, Agudath Israel of Kew Garden Hills, Agudath Israel of Madison, Rabbi Menachem Feifer, Rabbi Yisroel Reisman, Steven Saphirstein. (Schick, Avi) (Entered: 10/09/2020)
10/09/2020		Minute Entry and Order for proceedings held before Judge Kiyo A. Matsumoto: Show Cause Hearing held on 10/9/2020. Appearances: Avi David Schick, Esq. for Plaintiffs;

		Todd Alan Spiegelman, Esq. for Defendant. For the reasons stated on the record, Plaintiffs' <a href="#">2</a> Motion for a Temporary Restraining Order and Preliminary Injunction is DENIED. Plaintiffs failed to show, among other things, a likelihood of success on the merits of their claim that Executive Order 202.68 is unconstitutional or otherwise violates the Free Exercise Clause. A transcript of the hearing record and the court's findings will be filed on the public docket. Ordered by Judge Kiyo A. Matsumoto on 10/9/2020. (Court Reporter Denise Parisi.) (Brasky, Michael) (Entered: 10/09/2020)
10/18/2020	<a href="#">14</a>	NOTICE OF FILING OF OFFICIAL TRANSCRIPT of Proceedings held on October 9, 2020, before Judge Matsumoto. Court Reporter/Transcriber Denise Parisi, Telephone number 7186132605. Email address: deniseparisi72@gmail.com. Transcript may be viewed at the court public terminal or purchased through the Court Reporter/Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER. File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 11/9/2020. Redacted Transcript Deadline set for 11/18/2020. Release of Transcript Restriction set for 1/18/2021. (Parisi, Denise) (Entered: 10/18/2020)
10/19/2020	<a href="#">15</a>	SUMMONS Returned Executed by Rabbi Menachem Feifer, Agudath Israel of Madison, Steven Saphirstein, Agudath Israel of Kew Garden Hills, Agudath Israel of America, Agudath Israel of Bayswater, Rabbi Yisroel Reisman. Andrew M. Cuomo served on 10/13/2020, answer due 11/3/2020. (Schick, Avi) (Entered: 10/19/2020)
10/19/2020	<a href="#">16</a>	NOTICE OF APPEAL by Agudath Israel of America, Agudath Israel of Bayswater, Agudath Israel of Kew Garden Hills, Agudath Israel of Madison, Rabbi Menachem Feifer, Rabbi Yisroel Reisman, Steven Saphirstein. Filing fee \$ 505, receipt number ANYEDC-13542718. (Schick, Avi) (Entered: 10/19/2020)

